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REACH MEDIA GROUP, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID TRINDADE, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

REACH MEDIA GROUP, LLC, a
Delaware limited liability company,

Defendant.

CASE NO. 5:12-CV-04759 (PSG)

**STIPULATION AND [~~PROPOSED~~]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Judge: Honorable Paul Singh Grewal
Department: Courtroom 5
Conference Date: December 18, 2012
Conference Time: 2:00 p.m. PT
Complaint Filed: September 12, 2012

1 Plaintiff David Trindade (“Plaintiff”) and Defendant Reach Media Group, LLC
 2 (“Defendant”), stipulate and agree as follows¹:

3 WHEREAS:

- 4 A. The parties stipulated to a 28-day continuance of the Initial Case Management
 5 Conference and corresponding deadlines on October 4, 2012;
- 6 B. On October 12, 2012, this Court entered the parties’ proposed order to continue the
 7 Initial Case Management Conference from its original date of November 6, 2012 and
 8 continue all corresponding dates by 28 days. This Court set the new date of the
 9 Initial Case Management Conference as December 18, 2012, at 2:00 p.m.;
- 10 C. The parties have met and conferred pursuant to Rule 26, filed ADR Certifications,
 11 stipulated to an ADR process, served their Initial Disclosures upon one another, and
 12 filed a Joint Case Management Statement;
- 13 D. Since September 2012, Defendant’s lead trial counsel, Joshua M. Briones, Esq., has
 14 been scheduled to be out of the country on December 18, 2012 and thus is only
 15 available by telephone for the Initial Case Management Conference. Mr. Briones
 16 intended to file a request for telephonic appearance for the Initial Case Management
 17 Conference with the expectation that Defendant’s counsel, Vishali Singal, Esq.,
 18 would appear in person;
- 19 E. On or about November 19, 2012, Ms. Singal received a summons for jury service
 20 from the San Francisco Superior Court, with her reporting date set for December 10,
 21 2012;
- 22 F. The parties anticipate that, given the circumstances of Defendant’s counsel described
 23 herein, Defendant’s counsel may be unable to participate in the Initial Case
 24 Management Conference on December 18, 2012 in person;

25 ¹ On November 15, 2012, Defendant filed a Third-Party Complaint against Eagle Web
 26 Assets, Inc., Ryan Lenahan and Kyle Danna. (Dkt. No. 22.) Defendant and Third-Party Plaintiff
 27 Reach Media Group, LLC is in the process of serving Third-Party Defendants. Third-Party
 28 Defendants have yet to appear in this matter and therefore, did not participate in the drafting and
 filing of the instant stipulation and proposed order.

- 1 G. Counsel for Defendant, Ms. Singal, met and conferred with counsel for Plaintiff,
2 Benjamin H. Richman, Esq. and Christopher L. Dore, Esq., on November 26, 2012
3 to, among other things, determine whether Mr. Richman was available to attend the
4 Initial Case Management Conference on any date other than December 18, 2012.
5 Ms. Singal and Mr. Richman agreed that they were both available to attend the Initial
6 Case Management Conference in person at 2:00 p.m., on January 3, 2012;
- 7 H. Lead trial counsel for Defendant, Mr. Briones, is available to attend an Initial Case
8 Management Conference on January 3, 2012. As Mr. Briones works and resides in
9 Los Angeles, California, and his co-counsel, Ms. Singal, is available to attend an
10 Initial Case Management Conference on January 3, 2012 in person, Mr. Briones will
11 file a request for telephonic appearance with this Court for the same in accordance
12 with L.R. 16-10(a); and
- 13 I. The parties' request for a 17-day continuance of the Initial Case Management
14 Conference is the second time the parties have requested a change to any event
15 previously scheduled by this Court.

16 NOW, THEREFORE, Plaintiff and Defendant, by and through their respective counsel,
17 stipulate and agree as follows:

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1 Subject to the approval of the Court, the Initial Case Management Conference shall be
2 rescheduled from December 18, 2012 to January 3, 2012 at 2:00 p.m., or such other date and time
3 as the Court shall order.

4 IT IS SO STIPULATED.

5 Dated: December 4, 2012

6 DLA PIPER LLP (US)

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8 By: /s/ Vishali Singal
9 VISHALI SINGAL
10 Attorneys for Defendant
REACH MEDIA GROUP, LLC

11 Dated: December 4, 2012

12 EDELSON MCGUIRE LLC

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14 By: /s/ Benjamin H. Richman
15 BENJAMIN H. RICHMAN
16 Attorneys for Plaintiff
DAVID TRINDADE

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1 I, Vishali Singal, am the ECF user whose identification and password are being used to
2 file the foregoing STIPULATION AND [PROPOSED] ORDER TO CONTINUE CASE
3 MANAGEMENT CONFERENCE. In compliance with General Order 45, X.B., I hereby attest
4 that the above-referenced signatories to this stipulation have concurred in this filing.

5 **ORDER**

6 The parties' Initial Case Management Conference is hereby extended to

7 January 8, 2015 at 2:00 p.m.

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9 IT IS SO ORDERED.

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11 DATED: December 7, 2012

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13 By Paul S. Grewal
14 HONORABLE PAUL SINGH GREWAL
15 UNITED STATES MAGISTRATE JUDGE
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